

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

FRANK JONATHAN BARNES,

Petitioner,

v.

**WARDEN, NORTH CENTRAL
CORRECTIONAL INSTITUTION,**

Respondent.

CASE NO. 2:20-CV-4954

JUDGE JAMES L. GRAHAM

Magistrate Judge Kimberly A. Jolson

ORDER

On March 16, 2021, the Magistrate Judge issued a Report and Recommendation recommending that the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed. Although the parties were advised of the right to file objections to the Magistrate Judge's Report and Recommendation, and of the consequences of failing to do so, no objections have been filed.

The Report and Recommendation (ECF No. 12) is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

Petitioner has waived the right to appeal by failing to file objections. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). The Court therefore **DECLINES** to issue a certificate of appealability.

IT IS SO ORDERED.

Date: April 12, 2021

s/James L. Graham
JAMES L. GRAHAM
United States District Judge